

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 63 OF 1991

Smt.Jainab Abdulla Juwale. ... Appellant.

Versus.

Abdul Kadir Ismail Juwale & ors. ... Respondents.

Shri S.L.Kapse for the Appellant.

Shri Anoop Sharma i/by Shri S.M.Kazi for the
Respondent No.1.

CORAM : ABHAY S. OKA, J.

DATED : 27th January, 2005.

P.C.:

1. Heard the learned Counsel for the parties. The trial Court has passed a decree of partition by which the original Plaintiff and the original Defendants Nos.3 to 11 are held to be entitled to 2/5th share in the properties and the share of the Defendants Nos.1 and 2 is held to be 1/5th and 2/5th respectively. On the basis of the said finding, a decree for partition has been passed by the trial Court.

2. The said decree of the trial Court was challenged by the original Defendant No.1 by preferring an appeal in the District Court. The Appeal has been dismissed. There are concurrent finding of fact on all the relevant issues. No substantial question of law arises in the Second Appeal. The same is accordingly dismissed. No order as to costs.

Judge.